



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,737	10/22/2003	Marion D. Kilgore	2003-IP-009806 U1 USA	7677

30652 7590 03/03/2006

CONLEY ROSE, P.C.
5700 GRANITE PARKWAY, SUITE 330
PLANO, TX 75024

EXAMINER

BATES, ZAKIYA W

ART UNIT	PAPER NUMBER
----------	--------------

3676

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/690,737

Applicant(s)

KILGORE ET AL.

Examiner

Zakiya W. Bates

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6,202,747 or US 4,078,606.

US' 747 discloses an apparatus that includes an apparatus operatively positionable within a subterranean well comprising: a mandrel (23, 36, 59, 150); a double acting slip 7 and a single acting slip 34 disposed relative to the mandrel, the double acting slip being spaced axially apart from the single acting slip; and a seal element 8 carried on the mandrel. With respect to the depending claims, the reference teaches the limitations as claimed, including wedges 5, 13, release ring, flanges, and clamp. With respect to claim 13, the reference discloses a packer settable within a tubular structure, the packer comprising: a mandrel (23, 36, 59, 150); first and second axially spaced apart slips 7, 34 disposed relative to the mandrel, the first and second slips being radially outwardly extendable into gripping engagement with the tubular structure when the packer is set therein, the first slip resisting a load applied to the mandrel in a first axial direction and the second slip resisting another load applied to the mandrel in a second direction, opposite to the first direction; a seal element 8 carried about the mandrel, the seal element being radially outwardly extendable into sealing

Art Unit: 3676

engagement with the tubular structure when the packer is set therein, a pressure differential in the first axial direction applied to the seal element being resisted by the second slip. With respect to the depending claims, the reference teaches the limitations as claimed, including wedges, release ring, flanges, and clamp. With respect to claim 18, the reference discloses a method of securing an apparatus within a tubular structure disposed in a subterranean well, the method comprising the steps of: disposing a double acting slip and a single acting slip axially spaced apart on the apparatus; positioning the apparatus within the tubular structure; radially outwardly extending the double acting slip and the single acting slip, each of the double acting slip and single acting slip grippingly engaging the tubular structure', and radially outwardly extending a circumferential seal element into sealing engagement with the tubular structure. With respect to the depending claims, the reference teaches the limitations as claimed. See the entire document, especially figures 1D and 4A.

US' 606 discloses an apparatus that includes an apparatus operatively positionable within a subterranean well comprising: a mandrel 20; a double acting slip 38 and a single acting slip 96 disposed relative to the mandrel, the double acting slip being spaced axially apart from the single acting slip; and a seal element 36 carried on the mandrel. With respect to the depending claims, the reference teaches the limitations as claimed, including wedges, release ring, flanges, and clamp. With respect to claim 13, the reference discloses a packer settable within a tubular structure, the packer comprising: a mandrel 20; first and second axially spaced apart slips 38, 96 disposed relative to the mandrel, the first and second slips being radially outwardly

Art Unit: 3676

extendable into gripping engagement with the tubular structure when the packer is set therein, the first slip resisting a load applied to the mandrel in a first axial direction and the second slip resisting another load applied to the mandrel in a second direction, opposite to the first direction; a seal element 36 carried about the mandrel, the seal element being radially outwardly extendable into sealing engagement with the tubular structure when the packer is set therein, a pressure differential in the first axial direction applied to the seal element being resisted by the second slip. With respect to the depending claims, the reference teaches the limitations as claimed, including wedges, release ring, flanges, and clamp. With respect to claim 18, the reference discloses a method of securing an apparatus within a tubular structure disposed in a subterranean well, the method comprising the steps of: disposing a double acting slip and a single acting slip axially spaced apart on the apparatus; positioning the apparatus within the tubular structure; radially outwardly extending the double acting slip and the single acting slip, each of the double acting slip and single acting slip grippingly engaging the tubular structure', and radially outwardly extending a circumferential seal element into sealing engagement with the tubular structure. With respect to the depending claims, the reference teaches the limitations as claimed. See the entire document, especially figures 1-4.

Response to Arguments


3. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zakiya W. Bates (formerly Zakiya Walker) whose telephone number is (571) 272-7039. The examiner can normally be reached on Monday-Friday, 8:30 AM-5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Zakiya W. Bates
Primary Examiner
Art Unit 3676

zb
February 23, 2006